

Regular Session, 2010

SENATE BILL NO. 547

BY SENATOR MARIONNEAUX

LIABILITY. Authorizes punitive damages as a result of a person's willful or wanton misconduct. (gov sig)

1 AN ACT

2 To enact Civil Code Article 2315.8, relative to offenses and quasi offenses; to provide for
3 exemplary damages; and to provide for related matters.

4 Be it enacted by the Legislature of Louisiana:

5 Section 1. Civil Code Article 2315.8 is hereby enacted to read as follows:

6 **Art. 2315.8. Exemplary damages**

7 **In addition to general and special damages, exemplary damages may be**
8 **awarded upon proof that the injuries on which the action is based were caused**
9 **by a person's willful and wanton misconduct.**

10 Section 2. This Act shall become effective upon signature by the governor or, if not
11 signed by the governor, upon expiration of the time for bills to become law without signature
12 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
13 vetoed by the governor and subsequently approved by the legislature, this Act shall become
14 effective on the day following such approval.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Camille Sebastien Perry.

DIGEST

Proposed law authorizes an award of exemplary damages, in addition to general and special damages, upon proof that the injuries on which the action is based were caused by a person's willful and wanton misconduct.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds C.C. Art. 2315.8)